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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**
13

14 TEHILA DASHEFF, an individual,

15 Plaintiff,

16 v.

17 HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY, a Connecticut
18 corporation, DOES I through X; ROE
CORPORATIONS I through X,
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20 Defendants.
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Case No. 2:23-cv-00816-CDS-DJA

**STIPULATION, REQUEST AND ORDER
FOR EXTENSION OF TIME FOR
HARTFORD TO RESPOND TO
COMPLAINT**

[Second Request]

23 Plaintiff Tehila Dasheff (“Plaintiff”), through her counsel, Brian W. Boschee and Eliyahu
24 Bergida of the law firm of Holley Driggs, and Defendant Hartford Life and Accident Insurance
25 Company (“Hartford”), through its counsel, Michael R. Brooks of the law firm of Hutchison &
26 Steffen, PLLC/Nancy J. Marr of the law firm of Burke, Williams & Sorensen, LLP (*Pro Hac*
27 *Vice*), hereby respectfully submit this Stipulation, Request and Order For Amended Complaint and
28 Responsive Pleading (the “Stipulation”). This Stipulation is made in accordance with LR IA 6-1,

1 LR IA 6-2, and LR 7-1 of the Local Rules of this Court. This is the second request for an
 2 extension of time for Hartford to file an answer or otherwise respond to Plaintiff's Complaint.

3 Defendant Hartford was served with Plaintiff's Complaint on April 26, 2023, making its
 4 responsive pleading initially due on May 26, 2023. Hartford filed its Notice of Removal on
 5 May 25, 2023, making its responsive pleading due June 1, 2023. The parties stipulated to a first
 6 extension of time for Hartford's responsive pleading in part to allow the parties additional time to
 7 meet and confer on a possible Motion to Dismiss the Complaint under F.R.C.P. 12(b)(6) on the
 8 basis of ERISA preemption and to explore settlement. The Court ordered Hartford's responsive
 9 pleading due to be filed on or before June 22, 2023.

10 Since that time, the parties have met and conferred on this case, and agree that Plaintiff
 11 will amend her Complaint to assert only claim(s) under ERISA, 29 U.S.C. §§ 1001 *et seq.* and
 12 Hartford will have an extension of time to file its responsive pleading. The parties are exploring
 13 the possibility of settlement, and seek the extension of time for pleading also in an effort to avoid
 14 the unnecessary expenditure of resources. For all of these reasons, and good cause therefor, the
 15 parties stipulate and respectfully request that the Court order:

- 16 (1) Plaintiff Dasheff will file a First Amended Complaint under ERISA, 29 U.S.C. §§
 17 1001 *et seq.* on or by June 29, 2023; and,
- 18 (2) Defendant Hartford will have an extension of time to file its response to the
 19 Complaint or the First Amended Complaint, whether by motion or answer, on or by
 20 July 14, 2023.

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1 By entering into this Stipulation, none of the parties waive any rights they have under
2 statute, law or rule with respect to Plaintiff's Complaint.

3 DATED this 20th day of June, 2023.
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5 HOLLEY DRIGGS

HUTCHISON & STEFFEN, PLLC

6 By /s/ Brian W. Boschee

By /s/ Michael R. Brooks

7 Brian W. Boschee (Bar No. 7612)

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Accident Insurance Company

17 **ORDER**

18 IT IS SO ORDERED.

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20 DANIEL J. ALBREGTS

UNITED STATES MAGISTRATE JUDGE

22 DATED: June 23, 2023
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